

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

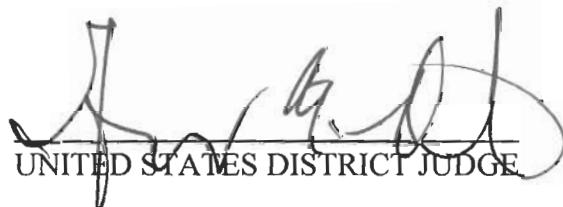
JOHN H. BENGE, JR., )  
Petitioner, )  
v. ) Civil Action No. 05-550-GMS  
RICK KEARNEY, )  
Warden, )  
Respondent. )

**O R D E R**

At Wilmington this 26<sup>th</sup> day of August, 2005;

IT IS ORDERED that:

Petitioner John H. Benge's motion for leave to file a brief in support of his 2254 petition is GRANTED as moot. (D.I. 2.) Benge filed the motion simultaneously with his brief.

  
UNITED STATES DISTRICT JUDGE

